REMARKS

The present invention is a method of generating an animation by the displaying of a sequence of images in a wireless handheld communication device; a wireless handheld communication device having a processor, transceiver means for communication via a wireless network, and a display; a wireless handheld communication device and a computer program stored on a storage medium for execution by a processor, the computer program when executed causing the processor to execute a method of generating an animation by the displaying of a sequence of images in a wireless handheld device. A method of generating an animation by the displaying of a sequence of images in a wireless handheld communication device 1 in accordance with an embodiment of the invention includes generating animation by editing of at least one of the images in the wireless handheld device prior to the generating of the animation, the editing comprising at least one of adding movement, changing individual pixels and adding text (as described on page 10, lines 11-31, through page 13, lines 1-6 and in detail in Fig. 9); successively displaying the sequence of images in the wireless handheld communication device in a predetermined order and with predetermined intervals between the images; and wherein the generating of the animation by editing at least one of the images and successively displaying of the sequence of images by the wireless handheld device optimizes display resolution of the generated animation by the terminal. See page 6, lines 11-18, for a description of the use of the selection

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border to fit a downloaded picture to the proper size for display by the handheld communication terminal and Fig. 9.

Claims 1, 8 and 15-16 stand rejected under 35 U.S.C. 102 as being anticipated by United States Patent 5,870,683 (Wells et al). These grounds of rejection are traversed for the following reasons.

Independent claims 1 and 8 and newly submitted claim 19 substantively recite generating an animation by displaying of a sequence of images in a wireless handheld device including generating the animation by editing at least one of the images in the wireless handheld device prior to the generating of the animation, the editing comprising at least one of adding movement, changing individual pixels and adding text; and successively displaying the sequence of images in the wireless handheld device in a predetermined order and with predetermined intervals between the images; and wherein the generation of the animation by editing of the at least one of the images and successively displaying of the sequence of images occurs by the wireless handheld device optimizes display resolution of the animation generated by the terminal. This subject matter has no counterpart in Wells et al.

Wells et al discloses a method of selectively displaying a graphical information sequence on a display from a plurality of prestored graphical information sequences in a wireless mobile station. However, Wells et al do not disclose optimizing of the display resolution of the animation. The Examiner's reference to the animation parameter in column 5, lines 35-38, describes a parameter which is passed at run time to the animation which may be text characters. However, Wells et al is totally

silent regarding the claimed generating the animation, successively displaying the sequence of images, and wherein the generation of the animation by editing of the at least one of the images and successively displaying the sequence of images by the wireless handheld device optimizes display of resolution of the generated animation by the terminal. Accordingly, the subject matter of independent claims 1, 8 and 15-16 and 19 is not anticipated for the reason that Wells et al do not rely upon any locally generated optimized resolution of the animation. Instead, the resolution is set by a software designer who writes the software code for the terminal which the end user cannot influence regarding optimizing resolution of the animation displayed by the terminal.

Claims 2, 5-7, 9, 12-14 and 17-18 stand rejected under 35 U.S.C. §103 as being unpatentable over Wells et al in view of United States Patent 6,1516,202 (Hawkins et al) further in view of the GIF Construction Set Professional Manual and the GIF Construction Set Professional Homepage (hereinafter collectively referred to as the GIF publications). These grounds of rejection are traversed for the following reasons.

Hawkins et al discloses an organizer that may receive a cellular portion to form a cellular telephone. However, Hawkins et al do not cure the deficiencies noted above with respect to Wells et al. Moreover, the additionally cited GIF publications do not cure the deficiencies noted above with respect to Wells et al and Hawkins et al.

The GCSP Homepage discloses a website set up to solicit orders for a product called GIF Construction Set Professional 2.0A. This product is GIF animation software that assembles original animations effortlessly through its animation wizard, squeezes them down to as close to nothing as possible with a compressor, creates eye-catching banners and animated transitions, manages GIF files, and adds transparency to existing graphics. The website provides information regarding features of the product and how to order the product.

The GCSP Manual is a manual for the GIF Construction Professional Application product. This manual discloses the same information as discussed previously regarding the GCSP Homepage in that it discloses some of the features of the product, the cost of the product, the medium (i.e., CD-ROM) that the product is available on, and how to order the product. Further, the GCSP Manual lists documentation associated with the GIF Construction Set Professional product.

It is submitted that the aforementioned GIF publications disclose software pertaining to an application which would not be considered by a person of ordinary skill in the art in modifying teachings pertaining to a wireless device to arrive at the subject matter of the claims since these publications address desktop computers or workstations which are designed in accordance with different display requirements. Accordingly, it is submitted that claims 2, 5-7, 9, 12-14 and 17-18 and newly submitted claim 19 would not be considered by a person of ordinary skill in the art to be obvious over the combined teachings of Wells et al, Hawkins et al and the two GIF publications except by resort to impermissible hindsight.

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Newly submitted claim 22 is patentable for the same reasons set forth above with respect to claims 1 and 8.

Moreover, independent claim 17 is patentable for the same reasons set forth above with respect to claims 1 and 8 which also recites the generation of the animation by editing of the at least one of the images and successively displaying of said sequence of images by said wireless handheld device optimizes display resolution of the animation generated by the terminal which is not suggested by the combined teachings of Wells et al, Hawkins et al and the two GIF publications.

Claims 3-4 and 10-11 stand rejected under 35 U.S.C. §103 as being unpatentable over Wells et al, Hawkins et al and the GIF publications further in view of the admitted prior art. Claims 3 and 4 and 10 and 11 respectively limit claims 2 and 3 and 9 and 10 in reciting the handheld communication device compares the number of times the display of sequence of images is to be repeated with a predetermined number; and if the number of times the display of sequence of the images is to be repeated exceeds the predetermined number, the handheld communication device only repeats the display sequence the predetermined number of times and further, the handheld communication device repeats the display sequence the predetermined number of times only once every time the handheld device is activated afterwards. It is submitted that the Examiner's reliance on the combined teachings of Wells et al, Hawkins et al, the GIF publications and the admitted prior art demonstrates an impermissible hindsight reconstruction of the Applicant's invention. Accordingly, it is submitted that these claims are patentable.
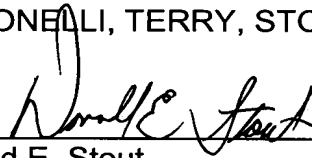
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In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (attorney docket no. 1030.41185X00).

Respectfully submitted,

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